

## UNITED STATES DISTRICT COURT

for the

Northern District of California

|                                  |   |                                    |
|----------------------------------|---|------------------------------------|
| Berenice Brackett                | ) |                                    |
| Plaintiff                        | ) |                                    |
| v.                               | ) | Civil Action No. CV 08-02100 (WHA) |
| Hilton Hotels Corporation et al. | ) |                                    |
| Defendant                        | ) |                                    |

**Summons in a Civil Action**

To: See attached list  
*(Defendant's name)*

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

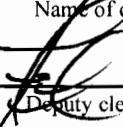
Marc N. Bernstein, Susan S. Boranian  
 The Bernstein Law Group, P.C.  
 555 Montgomery Street, Suite 1650  
 San Francisco, CA, 94111 (415) 765-6633

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Richard W. Wieking

Name of clerk of court

Date: APR 23 2008

  
Deputy clerk's signature

*(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)*

Attachment to Summons – List of Defendants

Hilton Hotels Corporation, a Delaware Corporation  
Hilton Supply Management, Inc., a Delaware Corporation  
Kevin A. Barry, an individual  
Kevin Barry Fine Art Associates, a California Corporation  
John or Jane Does 1-100, individuals of presently unknown identity  
ABC Corporations 1-300, corporations of presently unknown identity

|   |                      |                                     |                  |  |
|---|----------------------|-------------------------------------|------------------|--|
| <i>Attorney or Party without Attorney:</i><br>MARC N. BERNSTEIN<br>THE BERNSTEIN LAW GROUP, P.C.<br>555 MONTGOMERY STREET<br>SUITE 1650<br>SAN FRANCISCO, CA 94111<br><i>Telephone No:</i> 415-765-6633 |                      | <i>For Court Use Only</i>           |                  |  |
| <i>Attorney for:</i> Plaintiff  |                      | <i>Ref. No. or File No.:</i><br>#38 |                  |  |
| <i>Insert name of Court, and Judicial District and Branch Court:</i><br>United States District Court Northern District Of California  |                      |                                     |                  |  |
| <i>Plaintiff:</i> BERENICE BRACKETT<br><i>Defendant:</i> HILTON HOTELS CORPORATION, et al.  |                      |                                     |                  |  |
| <b>PROOF OF SERVICE<br/>SUMMONS &amp; COMPLAINT</b>   | <i>Hearing Date:</i> | <i>Time:</i>                        | <i>Dept/Div:</i> | <i>Case Number:</i><br>CV 08-02100 (WHA) |

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL CASE ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; COMPLAINT FOR COPYRIGHT INFRINGEMENT, REMOVAL OF COPYRIGHT MANAGEMENT INFORMATION, AND TORTIOUS INTERFERENCE; SUPPLEMENTAL ORDER TO ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE IN CIVIL CASES BEFORE JUDGE WILLIAM ALSUP; ECF REGISTRATION INFORMATION HANDOUT; WELCOME TO THE U.S. DISTRICT COURT; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION.

3. a. *Party served:* KEVIN BARRY FINE ART ASSOCIATES, a California Corporation  
 b. *Person served:* KEVIN BARRY, AUTHORIZED AGENT FOR SERVICE

4. *Address where the party was served:*  
8210 MELROSE AVENUE  
WEST HOLLYWOOD, CA 90069

5. *I served the party:*
  - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Thu., Apr. 24, 2008 (2) at: 4:30PM
  6. *The "Notice to the Person Served" (on the Summons) was completed as follows:*  
on behalf of: KEVIN BARRY FINE ART ASSOCIATES  
Under CCP 416.10 (corporation)

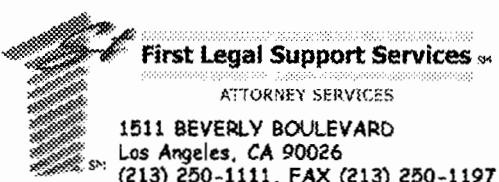
7. *Person Who Served Papers:*

a. RICARDO PAZ

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. *The Fee for Service was:*

- e. I am: (3) registered California process server
  - (i) Independent Contractor
  - (ii) Registration No.: 3267
  - (iii) County: Los Angeles



8. *I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.*

Date: Fri, Apr. 25, 2008